

# FISCAL NOTE

**Bill #:** HB0499

**Title:** Revise off-highway vehicle laws

**Primary**

**Sponsor:** Hal Harper

**Status:** As introduced

Sponsor: \_\_\_\_\_ Date \_\_\_\_\_

Dave Lewis, Budget Director \_\_\_\_\_ Date \_\_\_\_\_

## Fiscal Summary

	<b><u>FY2000 Difference</u></b>	<b><u>FY2001 Difference</u></b>
<b>Expenditures:</b>		
State Special Revenue	\$101,700	\$91,700
<b>Revenue:</b>	\$0	\$0
<b>Net Impact on General Fund Balance:</b>	<b>\$0</b>	<b>\$0</b>

<b><u>Yes</u></b>	<b><u>No</u></b>		<b><u>Yes</u></b>	<b><u>No</u></b>	
	X	Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts

## Fiscal Analysis

### ASSUMPTIONS:

1. The Department of Fish, Wildlife and Parks (FWP) has contracted for the writing of a state trails plan. The contractor believes that it would cost an additional \$10,000 to include weed and trespass control in the plan.
2. All applications for National Recreation Trails Act (NRTA) grant monies would be required to prepare an environmental assessment (EA).
3. Currently, off-highway vehicles (OHV) pay a \$5 decal fee at registration that goes to the account created in 23-2-804(3), MCA. The account has annual revenue of about \$95,000.
4. OHV owners also pay a \$1 fee at the time of registration that goes to the existing noxious weed trust fund within the Department of Agriculture. These revenues are not factored into this fiscal note.

(Continued)

5. FWP administrative staff would incur workload increases for EA review, private landowner restitution investigation, additional county and landowner coordination for weeds/trespass, record keeping, and statutory compliance. To perform the additional duties, a 1.00 FTE program administrator (grade 14) will be needed at an annual cost of \$31,700.
6. Annual operating costs will be \$10,000. This provides for greater than normal travel, plus the normal operating expenses of an employee.
7. The FWP has no way of estimating the fiscal impact of the restitution to be paid to private landowners shown in Section 4(2). The amount of \$50,000 per year is presented as a budget estimate.

**FISCAL IMPACT:**

<b>Dept. of FWP</b>	<b>FY2000 <u>Difference</u></b>	<b>FY2001 <u>Difference</u></b>
FTE	1.00	1.00

**Expenditures:**

Personal Services	\$31,700	\$31,700
Operating Expenses	20,000	10,000
Restitution	<u>50,000</u>	<u>50,000</u>
TOTAL	\$101,700	\$91,700

**Funding:**

State Special Revenue (02)	\$101,700	\$91,700
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**Net Impact to Fund Balance (Revenue minus Expenditure):**

State Special Revenue (02)	(\$101,700)	(\$91,700)
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**EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:**

Local grantees, including cities and counties, will be required to submit an EA with their NRTA grant applications. FWP receives about 130-150 grant applications per year. Currently, about 100 of those do not require an EA due to their maintenance focus. The additional EAs will cost local grantees approximately \$750 each for a total of \$75,000 per year

**TECHNICAL NOTES:**

1. There is insufficient revenue to support existing programs and the additional requirements of this bill. To absorb the additional workload mandated by this bill, the FWP will have to reduce current services and local grants.
2. Clarification is needed regarding who receives restitution and how the amounts are to be determined.
3. The National Recreational Trails Fund program does not allow the use of monies for restitution as provided in Section 4(2) of this bill.

